

1 Karen L. Bashor
Nevada Bar No. 11913
2 I-Che Lai
Nevada Bar No. 12247
3 WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP
6689 Las Vegas Boulevard South, Suite 200
4 Las Vegas, Nevada 89119
Tel.: (702) 727-1400
5 Attorneys for Defendant
Samsung Electronics America, Inc.
6

7 **UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

8 Robert Lancaster, individually, Case No. 2:20-cv-00794-GMN-EJY

9 Plaintiff,

10 vs.

11 SAMSUNG ELECTRONICS AMERICA,
INC.; SAMSUNG ELECTRONICS, CO.
12 LTD. DOES 1-20 and ROE BUSINESS
ENTITIES 1-20, inclusive,

13 Defendants.

14

15 **STIPULATION AND ORDER TO EXTEND**
SCHEDULING ORDER DEADLINES [ECF NO. 13]
(First Request to Extend Scheduling Order Deadlines)

16 Pursuant to Local Rules IA 6-1, IA 6-2, 7-1, 26-1, and 26-3, plaintiff Robert Lancaster and
17 defendant Samsung Electronics America, Inc. hereby stipulate and agree to a 30-day extension of the
18 deadlines set forth in the scheduling order (ECF No. 13). This is the first stipulation extend such
19 deadlines. The extension is necessary to accommodate the experts' limited availability in preparing a
20 report for disclosure by the deadlines set forth in the scheduling order.
21

22 ...
23 ...
24 ...

1 **A. Discovery Completed to Date**

2 The parties held the Rule 26(f) conference on March 4, 2021 and submitted the stipulated
3 discovery plan and proposed scheduling order on March 12, 2021. This Court approved the
4 discovery plan on March 12, 2021. Since then, the parties completed the following discovery:

- 5 1. Plaintiff has served his initial disclosures, including supplements.
- 6 2. Defendant has served its initial disclosures, including supplement.
- 7 3. Defendant has served its first set of interrogatories and requests for production to
8 Plaintiff.
- 9 4. Plaintiff has served his responses to Defendant's first set of interrogatories and requests
10 for production.
- 11 5. Defendant has completed an inspection of the phone and battery at issue in this case.
- 12 6. Defendant has taken Plaintiff's deposition.

13 **B. DISCOVERY THAT REMAINS TO BE COMPLETED**

14 The parties expect that they may need to conduct some or all of the following discovery if
15 they are unable to reach a mutually agreeable settlement:

- 16 1. Possible follow-up written discovery;
- 17 2. Service of expert disclosures;
- 18 3. Documents subpoena to third-parties; and
- 19 4. Deposition of parties, third-parties, and experts.

20 **C. REASONS WHY THE REMAINING DISCOVERY WAS NOT COMPLETED**

21 **WITHIN THE TIME LIMITS**

22 The extension is necessary to allow the parties' experts additional time to prepare a report for
23 disclosure. For example, Plaintiff's deposition took place on March 25, 2021, and the transcript of
24 his deposition was recently made available. Defendant's expert indicated that he would need more

1 time than May 20, 2021 to review the information obtained during discovery, including Plaintiff's
2 deposition transcript, and complete his report. Because the current deadlines do not allow the parties
3 to serve their expert disclosures in time, an extension of the deadlines is warranted.

4 **D. PROPOSED DISCOVERY SCHEDULE**

5 Pursuant to LR 26-4, the parties propose to extend the following deadlines by 30 days:

	Original Deadline	Proposed Extended Deadline
Discovery Cut-Off Date	July 19, 2021	August 18, 2021
Amending Pleadings or Adding Parties	April 20, 2021	May 20, 2021
Rule 26(a)(2) Initial Disclosures	May 20, 2021	June 18, 2021
Rule 26(a)(2) Rebuttal Disclosures	June 18, 2021 or 30 days after the initial disclosure of experts	July 16, 2021 or 30 days after the initial disclosure of experts
Dispositive Motions	August 18, 2021	September 17, 2021
Pre-Trial Order	August 18, 2021	October 18, 2021 or 30 days after the decision on any dispositive motions (whichever is later)

13 Dated: May 11, 2021

Dated: May 11, 2021

14 HICKS & BRAISER, PLLC

WILSON ELSER MOSKOWITZ EDELMAN & DICKER LLP

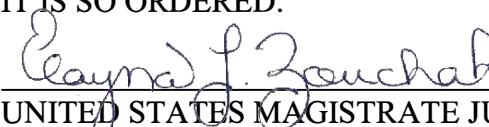
16 /s/Steven M. Rogers

Steven M. Rogers
Nevada Bar No. 10975
2630 South Jones Boulevard
Las Vegas, NV 89146
Attorneys for Plaintiff

/s/I-Che Lai

Karen L. Bashor
Nevada Bar No. 11913
I-Che Lai
Nevada Bar No. 12247
6689 Las Vegas Blvd. South, Suite 200
Las Vegas, Nevada 89119
Attorneys for Defendant
Samsung Electronics America, Inc.

21 IT IS SO ORDERED.

22 
UNITED STATES MAGISTRATE JUDGE

23 DATED: May 11, 2021